

**ASSEMBLY BILL**

**No. 679**

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**Introduced by Assembly Member Fox**

February 21, 2013

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An act to amend Section 68086 of the Government Code, relating to official court reporter fees.

LEGISLATIVE COUNSEL'S DIGEST

AB 679, as introduced, Fox. Fees: official court reporters.

Existing law requires an official court reporter fee of \$30 to be charged for each proceeding lasting less than one hour. Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases, for each proceeding lasting more than one hour, in an amount equal to the actual cost of providing that service per  $\frac{1}{2}$  day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided, as specified. Existing law further requires the Judicial Council to adopt specified rules to, among other things, ensure the availability of an official court reporter, or in the absence of an official court reporter, authorize a party to arrange for the presence of a certified shorthand reporter, as specified.

This bill would further require the Judicial Council to adopt rules to ensure that a party arranging for a certified shorthand reporter notifies the other parties of that fact, and that attempts to share costs for the certified shorthand reporter are made to provide better access to justice for all parties involved in the proceeding.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 68086 of the Government Code is amended to read:

68086. (a) The following provisions apply in superior court:

(1) In addition to any other fee required in civil actions or cases:

(A) For each proceeding lasting less than one hour, a fee of thirty dollars (\$30) shall be charged for the reasonable cost of the services of an official court reporter pursuant to Section 269 of the Code of Civil Procedure.

(B) For each proceeding lasting more than one hour, a fee equal to the actual cost of providing that service shall be charged per one-half day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided pursuant to Section 269 of the Code of Civil Procedure.

(2) All parties shall deposit their pro rata shares of these fees with the clerk of the court as specified by the court, but not later than the conclusion of each day's court session.

(3) For purposes of this section, "one-half day" means any period of judicial time, in excess of one hour, but not more than four hours, during either the morning or afternoon court session.

(4) The costs for the services of the official court reporter shall be recoverable as taxable costs by the prevailing party as otherwise provided by law.

(5) The Judicial Council shall adopt rules to ensure all of the following:

(A) That parties are given adequate and timely notice of the availability of an official court reporter.

(B) That if an official court reporter is not available, a party may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter, the costs therefor recoverable as provided in paragraph (4).

*(C) That if a party arranges for the presence of a certified shorthand reporter pursuant to subparagraph (B), the arranging party notifies the other parties that a certified shorthand reporter will be present.*

*(D) That attempts to share costs for the presence of a certified shorthand reporter pursuant to subparagraph (B) are made to provide better access to justice for all involved in the proceeding.*

1    ~~(E)~~

2    (E) That if the services of an official pro tempore reporter are  
3 utilized pursuant to subparagraph (B), no other charge shall be  
4 made to the parties.

5    (b) The fees collected pursuant to this section shall be used only  
6 to pay the cost for services of an official court reporter in civil  
7 proceedings.

8    (c) The Judicial Council shall report on or before February 1 of  
9 each year to the Joint Legislative Budget Committee on the fees  
10 collected by courts pursuant to this section and Section 68086.1  
11 and on the total amount spent for services of official court reporters  
12 in civil proceedings statewide in the prior fiscal year.

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